

**‘GENDER, BIODIVERSITY AND CLIMATE CHANGE:  
SOME ASPECTS OF THE LEGAL AND POLICY DIMENSION’**

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***Keywords:***

*Gender, environment, climate change, biodiversity conservation, women’s participation*

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## Introduction

Addressing climate change and the loss of biodiversity is a current global priority.<sup>1</sup> The impacts thereof will be felt by everyone on the planet. But the world's poor, a majority of whom are women, will be affected most directly and severely by environmental degradation (Global Biodiversity Outlook 1). For men and women in developing countries, especially in the least developed countries, biodiversity is vital for their survival and for the survival of their families (CBD 2009). Recognizing and understanding the gender-differentiated biodiversity practices and knowledge of women and men enhances biodiversity conservation. Studies from around the world have demonstrated that through empowering women and vulnerable groups to participate as equals, biodiversity efforts become more effective and efficient and that projects that integrate gender aspects generate better results (CBD 2003; CBD Fact Sheet 2010). The same goes for climate change. Climate change does not affect women and men in the same way and has gender-differentiated impacts. Therefore all aspects related to climate change mitigation, adaptation, financing and decision-making should include a gender perspective (CBD 2009).

The crucial role of women in the conservation of biodiversity and the importance of their participation in addressing both climate change and loss of biodiversity has - directly or indirectly - been acknowledged in several international legal and policy documents (E.g. Rio Declaration, Agenda 21, United Nations Convention on Biological Diversity and Cancun Agreements). However, the agreed provisions are far from being implemented (Aguilar 2008). Putting these 'words into action' seems to be quite a challenge.

In this paper, we take a look at some of the legal and policy issues that might hold back the effective implementation of gender mainstreaming within climate change and biodiversity conservation. First, we examine women's participation in the international negotiations on climate change and biodiversity conservation. Secondly, we highlight the existing references to gender and women within the regimes of the United Nations Convention on Biological

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<sup>1</sup> It is widely recognized that climate change and biodiversity conservation are interconnected. According to the Millennium Ecosystem Assessment, climate change is likely to become one of the most significant drivers of biodiversity loss by the end of the century. The loss of biodiversity has a definite impact on climate change as well. So biodiversity conservation can help reduce the negative effects of climate change. Taking a gender-sensitive approach at the inter-linkages between biodiversity and climate change contributes to sustainable livelihoods, environmental protection and sustainable development. Therefore the two 'issues' are taken together in this paper.

Diversity (CBD) and the United Nations Framework Convention on Climate Change (UNFCCC). Thirdly, we briefly explore the gendered nature of two important mechanisms for implementation of the Conventions. Throughout this paper we also pay attention to recent developments in the field of gender, climate change and biodiversity conservation.

## **1) Women's participation in international environmental negotiations**

### **a) General background**

Worldwide, women are vastly underrepresented in decision-making positions at all levels. The most recent edition of the *Human Development Report* stated that women hold fewer than 20 per cent of all seats in national parliaments and occupy only 18 per cent of ministerial posts (HDR 2011: 63). Where women do secure posts, their representation is uneven across sectors (GSP 2012: 29). Moreover, women representatives are often not afforded a seat at the decision-making table or are ill-prepared to participate effectively (IUCN-WEDO 2011). This limited participation in decision-making means that women's perspectives, needs, knowledge and proposed solutions are often ignored (PRB 2001).

Women's participation in decision-making on environmental issues is crucial for two main reasons. (1) It is important to recognize that women have a right to be at the decision-making tables as a matter of gender equality and gender justice (Parbring 2009). Women need to have a voice in environmental policy decisions regardless of whether their presence is an aid to the effectiveness of the negotiations (WEN 2010). (2) Women's participation and involvement can have consequences for pro environment policy and practice. Some research suggests that 'women express more concern for the environment, support more pro environmental policy and vote for pro environmental leaders' (HDR 2011: 63). However, women's participation in decision-making doesn't automatically lead to a growing recognition of women's rights and gender justice (Parbring 2009). Nor, does their participation automatically lead to greater environmental awareness. But the exclusion of women means ignoring half of the planet's population. This, without a doubt, affects the effectiveness and efficiency of environmental policies (IUCN Fact Sheet 2010a).

So to ensure that the priorities for e.g. biodiversity conservation and climate change are met, ensuring equal participation of both genders and especially the representation of women in decision-making bodies at all levels is crucial.

Therefore, several major United Nations Conferences have acknowledged women's contributions to environmental management and have proposed actions to strengthen women's role in decision-making. E.g.:

- 1992 Conference on Environment and Development (Rio Declaration, Agenda 21, CBD, ...)
- 1995 Fourth World Conference on Women (Beijing Platform for Action)
- 2002 World Summit on Sustainable Development (Johannesburg Declaration and Johannesburg Plan of Implementation)

The outcome documents of these conferences as well as other international legal and policy documents, explicitly ask for the full & effective participation of women. The documents confirm that women's full participation is essential to achieve sustainable development and that women's equality is a necessary condition to that end - this both at the formulation, planning and implementation level.

The most pronounced affirmation of the need for women's full participation can be found in the Rio Declaration. In this declaration, special attention is placed on ensuring the full participation of politically disadvantaged groups such as women (principle 20) and indigenous peoples (principle 22). Principle 20 of the Rio Declaration focuses particularly on the vital role women play in environmental management and development and on the fact that their full participation is essential to the achievement of sustainable development. Different international follow-up sessions and other international fora, have reiterated this over the years (e.g. Agenda 21; World Summit on Sustainable Development Plan of Implementation).

Agenda 21 endorsed the Rio Declaration principles on public participation and states that the effective implementation of its objectives, policies and mechanisms requires the genuine involvement of all social groups, including women (Du Plessis 2008). Agenda 21 encouraged states to adopt measures to eliminate all *'obstacles to women's full participation in sustainable development and in public life'* (Agenda 21, para. 24.2 (c)). Agenda 21 also established the concept of the nine 'Major groups' (farmers, women, children and youth, indigenous people, NGOs, local authorities, the scientific and technological community, workers and trade unions, business and industry) who have been given important and increasing roles to play as partners in sustainable development. Broad public participation in implementation is thus a fundamental prerequisite of sustainable development (UN-DESA).

## **b) Gender in international negotiations on biodiversity conservation**

The Convention on Biological Diversity (CBD) - the key international instrument in the promotion of the conservation and sustainable use of biodiversity - '*recognizes the vital role that women play in the conservation and sustainable use of biological diversity*' and affirms '*the need for the full participation of women at all levels of policy-making and implementation for biodiversity conservation*'. What the preamble does is affirming the need for the full participation of women at all levels of policy-making as well as in the implementation thereof. With this, the CBD is the only Multilateral Environmental Agreement (MEA) that acknowledges the fundamental link between women's participation and the implementation of the treaty (Thinker 1995: 193). The preamble provides a space for women to be present at all levels of policy-making including at the table of the international negotiations. But the CBD does not develop a legal framework for women to participate beyond concrete conservation and sustainable use activities. The text of the preamble remains a rather instrumental understanding of the role of women in biodiversity politics (Brand 2008).

The information available on women's participation at the international meetings of the Conferences of the Parties to the CBD (COPs) is not very extensive. Data obtained through the CBD Secretariat show that the average level of women's participation during the last six COPs was around 32 %. An overview of the percentage of women's participation in the different groups represented at these meeting, such as governments, UN agencies, international governmental organizations, NGOs, indigenous and local communities, industry and media, could up to this point, not be collected. However, according to Deda and Rubian, the representation of women in the different groups represented at COP 6, averaged 30% . Only the education and university sector had a majority (68%) of women's delegates. (Deda & Rubian 2004: 203)

Despite widespread recognition at the international level that women have an essential role to play as users and managers of biological resources<sup>2</sup>, women's participation in biodiversity-related decision-making processes is still lacking behind. Women seem to remain somewhat invisible within the deliberations of the Conferences of the Parties. This, despite the fact that the CBD is mandated to ensure 'the full participation of women at all levels of policy making

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<sup>2</sup> Infra sub 2, b, i)

and implementation for biodiversity conservation' and must therefore comply with its commitments (WRM 2008).

Nevertheless improvements are steadily being made. Several COP outcome decisions on article 8 (j) of the CBD specifically call for women's full and effective participation. Gender balance is requested in the roster of experts on biosafety. Joint efforts between IUCN, WEDO and CBD have also led to actions that built women's capacity to participate in decision-making processes in the Convention. For example, the Women's Causus held during the negotiations and various trainings and workshops prior to the COPs (Aguilar 2008).

### **c) Gender in the international negotiations on climate change**

The importance of women's participation and involvement in the negotiations on climate change should be obvious. However, for a long time, the international level didn't pay any attention to this. Neither the Framework Convention on Climate Change (UNFCCC) nor the Kyoto Protocol, recognize the importance of women's participation in addressing climate change. Only the last few years, consciousness on the need for women's equal participation has been raised. But as indicated by figure 1, equal representation of both sexes in international climate negotiations is far from being a reality<sup>3</sup>.

With the share of women as members in delegations of the parties topping at 32 % at COP 14 in 2008 and the share of women as heads of delegations topping 19 % at COP 3 in 1997 and at COP 9 in 2003, the participation of women in international climate change negotiations is still very low. However, the numbers are slowly on the rise: female representation in delegations of the parties has increased from around 20 per cent in 1996 to a little over 30 per cent since 2008. Although the share of female heads of negotiation has remained below 15 per cent since 2007, the presidents of the last three COPs have all been women<sup>4</sup>.

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<sup>3</sup> Gender-segregated data on the share of women in other than the official delegations of the Parties could so far not be retrieved.

<sup>4</sup> COP 15 - president: Connie Hedegaard (President during part of the negotiations); COP 16 - president: Patricia Espinosa; COP 17 - president: Maite Nkoana-Mashabane.

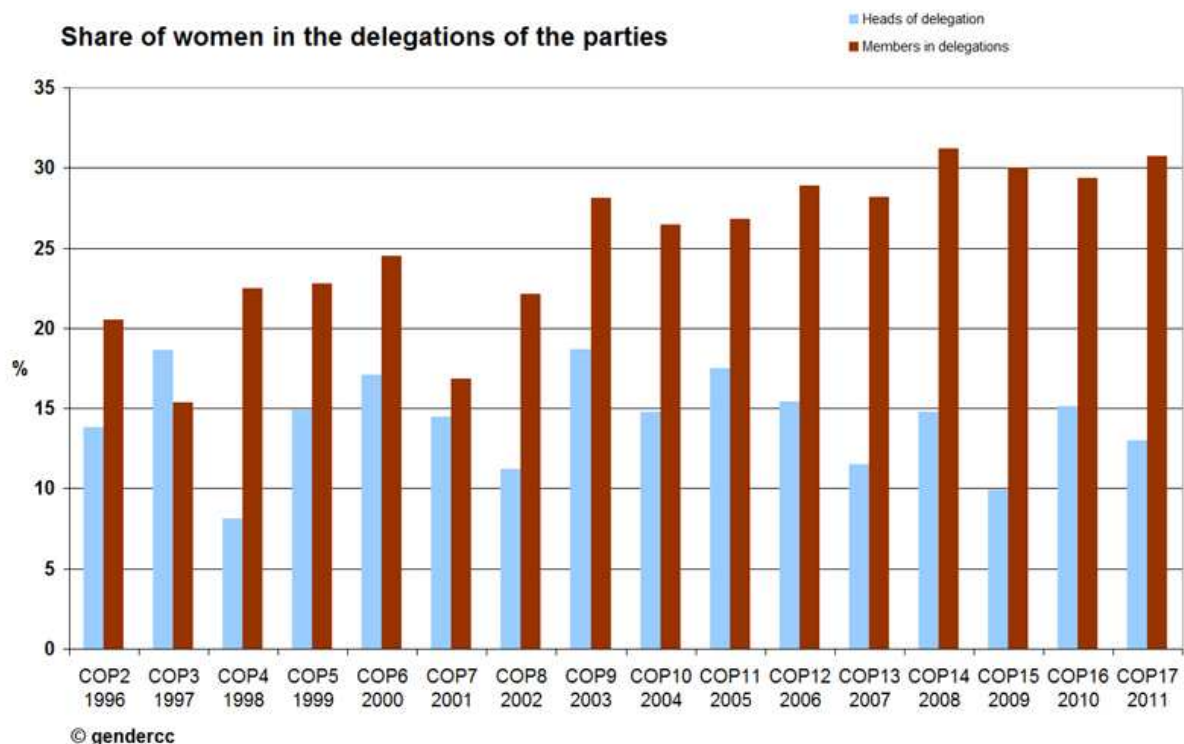


Figure 1: Share of women in the delegations of the parties: COP 2 to COP 17 (Source: GenderCC).

Below we will briefly go into women's participation at COP 3, COP 7 and the three last COPs as they all mark special moments in the evolution of women's participation.

- COP 3 in 1997, where the Kyoto Protocol was adopted, had one of the highest levels of women as heads of delegation. But the number of women as members of the delegations of the Parties was the lowest ever. The outcome documents of COP 3 did not mention women or gender issues. A reference to the importance of women's participation could neither be found.

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- At COP 7 in 2001, a decision was reached on improving the participation of women in the representations of the Parties in bodies established under the UNFCCC or the Kyoto Protocol (Decision 36/CP.7). The decision invited parties to give active consideration to the nomination of women for elective posts in any body established under the Convention or Protocol. In addition, the Convention Secretariat was requested to maintain records on the

<sup>5</sup> An interesting overview of the participation and involvement of women before and at COP 3, where the Kyoto Protocol was adopted, can be found in Villagrasa (2002).



gender composition of the various bodies. This decision can be considered a crucial step in the process of gendering the climate change discourse.

- A report of the Center for Asia Pacific Women in Politics in 2008 stated that *‘an overall assessment of the climate change debate to date shows women are patently absent in the decision-making process. Their contributions in environmental policies are largely ignored. Decision-making and policy formulation at environmental levels such as conservation, protection, rehabilitation and environmental management are predominantly a male agenda’* (CAPWIP 2008). But COP 15 in Copenhagen slightly turned the tide. The share of women participating in the delegations of Parties hit one of its highest levels since the beginning of the COPs. The number of women as heads of delegations barely reached 10 % but overall, the total percentage was a peak for women’s engagement. The UNFCCC also gave a provisional status to the Women and Gender Constituency so women were given more slots for interventions and a deeper participation in the formal process (WEDO 2010a). The final draft of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) even recognized the need for ‘gender equality and the effective participation of women’ (GenderCC 2010). However, in March 2010, UN General Secretary Ban Ki-moon appointed all men when putting together the Advisory board on Climate Change Financing.

- The AWG-LCA text of COP 16 in Cancun - in the shared vision for long-term cooperative action - clearly recognized gender equality and the effective participation of women as important for effective action on all aspects of climate change. The text also referred to decision 36/CP.7 on improving the participation of women in the representation of the Parties in bodies under the UNFCCC and Kyoto Protocol. The specific section encouraged Parties to nominate senior experts to the Technology Executive Committee taking into account the need to achieve gender balance in accordance with previous decision (Annex IV).

- Just before the start of the COP 17 in Durban, the UNFCCC secretariat formally recognized the Women and Gender Constituency. Prior to the COP 15 in Copenhagen the Women and Gender Constituency – one of the nine NGO constituencies linked to the UNFCCC - was provisionally recognized by the UNFCCC secretariat. Following a 2 year provision period, women and gender NGO’s had now finally been provided with full constituency status. This has definitely made the UNFCCC process a more legitimate process. Women’s participation

as member of the delegations of the parties remained at 30 %. Although a number of countries' official delegations do include a relatively high proportion of women, including some in leading roles, some countries' delegations do not include a single woman.

#### **d) Recommendations**

Despite numerous international agreements calling for equal participation of women, they remain excluded from decision-making in many countries. Women's full participation seems to be a mere slogan. Specifically women's involvement in the formulation, planning and execution of environmental policy remains low at all levels. Women often lack effective participation in decision-making on environmental issues. Even today, at the Conferences of the Parties to the CBD and UNFCCC, men head the vast majority of delegations.

We agree with Melanie Verveer who said:

*"We must ensure that women have an equal seat at the table in decision-making processes that shape environmental policies and natural resource investment decisions at all levels of government. From local village councils, to national planning processes to international and multilateral development institutions and funds, it is essential that policies and programs be instilled with a spirit of inclusion, innovation and equal participation of women"* (Verveer 2011)

We recommend the following:

(1) Improve the data collection on women's and men's opportunities to be involved in decision-making. Segregated data on the participation of men and women in the international negotiations of the CBD and UNFCCC need to be included in their (registration) databases.

(2) Ensure equal opportunities for men and women to participate in the international negotiation processes. This can be fostered through the establishment of female quota in the delegations active in international negotiations, by setting aside seats for women in environmental management and decision-making bodies<sup>6</sup> and by ensuring greater involvement of women's organizations in the discussions going on at the national and international levels.

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<sup>6</sup> Several countries have set aside seats on national and local bodies to ensure women's participation in environmental management and decision-making bodies (PRP 2001).

(3) Ensure equal participation of men and women, not only in terms of nominal representation, but also in terms of the nature of their participation (HDR 2011: 64). For example, the Women Delegates Fund (WDF) enables women from developing countries not only to attend the international climate change negotiations but also builds their capacities and provides training so they can participate effectively. As one delegate said: *"The WDF makes us ambassadors for women across all areas of negotiations. Other countries now want to increase the women on their delegations and, even just by being in the room, we are helping to ensure that gender remains in the language of the text."* (Dampney 2012).

(4) Address the constraints that prevent women from participating at all levels. Recently Deputy Secretary-General Asha-Rose Migiro said: *"We have to remove the structural, cultural, social and economic barriers that prevent rural women from participating fully in the economic and political life of their countries"* (Migiro 2012). Therefore strategic adjustments at all levels are necessary. This includes making changes in flexibility in institutional forms to ensure that women can participate effectively in decision-making (HDR 2011: 64).

## **2) Legal framework on gender and environment**

### **a) Gender in international environmental instruments**

In the past few decades, numerous international instruments, like conventions, declarations, platforms, action plans, resolutions and agreements have been developed to ensure gender equality and to adopt measures on sustainable development, climate change, biodiversity conservation, etc ...

The legal framework in relation to gender, sustainable development and environment consists of some key international instruments. These instruments can be divided into two categories. The first is the so-called "hard law" category which includes (1) the Convention on Biological Diversity, (2) the Convention to Combat Desertification and (3) the Framework Convention on Climate Change. The category of "soft law" instruments is much larger and contains *inter alia* (1) Agenda 21, (2) Rio declaration, (3) WSSD Plan of Implementation and (4) the Millennium Development Goals. Besides the references to gender in international environmental instruments, there is a collection of human rights and gender equality

instruments that also link gender to environmental sustainability. Examples include (1) the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), (2) the Beijing Declaration and the Beijing Platform of Action, (3) the ECOSOC Resolution on Mainstreaming Gender in UN (E/1997/66; 2005/31) and (4) the UN Declaration on the Rights of Indigenous Peoples (DECRIPS).

Because gender equality, climate change and biodiversity conservation are cross-cutting issues, they fall into multiple instruments, providing more norm-setting opportunities. Both the environmental regime and the human rights regime can therefore provide a foundation for law and policy initiatives to address the gender dimensions of biodiversity conservation and climate change (Dankelman 2010: 194).

## **b) Gender references in the Convention texts and COPs to the CBD and UNFCCC**

The analysis below examines the level of gender mainstreaming and women's empowerment within the framework of the biodiversity conservation and climate change regime. We will focus specifically on the treaty texts and the outcome documents of the Conferences of the Parties to both Conventions.

### **i) Convention on Biological Diversity**

In its preamble the CBD immediately recognizes “*the vital role that women play in the conservation of sustainable use of biological diversity*” and considers “*the need for the full participation of women at all levels of policy-making and implementation of biodiversity conservation*” (See supra). Unfortunately this is the only mention of women in the convention text. Of the two protocols to the CBD, only the recent Nagoya Protocol recognizes “*the vital role that women play in access and benefit-sharing*” and affirms “*the need for the full participation of women at all levels of policy-making and implementation for biodiversity conservation*”. The Nagoya Protocol, unlike the CBD itself, does include some references to women in its body text, specifically on the issues of traditional knowledge associated with genetic resources (art. 12) and on capacity-building (art. 22 & 25). The Cartagena Protocol on Biosafety does not take gender aspects into account, even though the use of gene and biotechnology and other modern technology has a different, often more negative impact, on women than on men (GTZ 2002: 30). The decisions of the Conferences of the Parties to the

Cartagena Protocol (COP-MOP) have until today, only paid attention to the gender balance in the roster of experts <sup>7</sup> and have not included the wider gender issues around biosafety.

During the first decade, the CBD did not really develop further on the issue of gender and biodiversity. Only in the last 10 years, especially after 2002, the CBD negotiations became more gender-sensitive. Figure 2 contains an overview of the references to the words ‘gender’ and ‘women’ within the outcome documents of the COPs to the CBD from 1994 until the last COP in 2010. The data show that the references to gender and women within the outcome document indeed sparked after COP 6 in 2000.

CBD	COP1	COP2	COP3	COP4	COP5	COP6	COP7	COP8	COP9	COP10
Gender	–	–	2	–	3	3	3	3	4	6
Women	–	–	1	–	2	6	7	3	1	9
<b>Total</b>	<b>–</b>	<b>–</b>	<b>3</b>	<b>–</b>	<b>5</b>	<b>9</b>	<b>10</b>	<b>6</b>	<b>5</b>	<b>15</b>

*Figure 2: References to ‘gender’ and ‘women’ in the outcome documents of the Conferences of the Parties COP 1 to COP 10. Own compilation based on the search engine function of the CBD Convention website.*

When taking a closer look at the different decisions and references, we see that most of the gender references have occurred thanks to the efforts of indigenous and community groups under article 8 (j) of the CBD on traditional knowledge, innovations and practices. Nine decisions of the COPs throughout the years have mentioned gender with regard to this article of the convention. <sup>8</sup> References to gender and women can also be found in COP decisions on 4 out of the 7 thematic programmes of the Convention. <sup>9</sup> Gender references are also frequently found in COP decisions on the different cross-cutting issues, including on biological diversity and tourism, access and benefit sharing, the biodiversity targets, sustainable use, transfer of technology, etc.

<sup>7</sup> COP-MOP BS-I/4; BS-II/4; BS-IV/4; BS-V/4.

<sup>8</sup> COP Decisions III/14; V/16; VI/10; VII/16; VIII/5; IX/13; X/40; X/42; X/43.

<sup>9</sup> On agricultural biological diversity: Decision III/11; VIII/23; on forest biological diversity: Decision VI/22 and VII/1; on mountain biological diversity: Decision VII/27; on biodiversity of dry and sub-humid lands: Decision x/35.

Until 2007, all of these provisions referred to women's participation and the importance of gender in the different CBD activities but did not deal directly with the promotion of gender equality as such (Aguilar 2008: 21). However, since 2007, a more focused approach to gender mainstreaming in its regular activities, has been undertaken at the CBD. The secretariat has appointed a Gender Focal Point and a new Gender Plan of Action has been elaborated. At the last COP a decision was taken on gender mainstreaming which emphasized the importance thereof in all programmes of work under the convention (Decision X/19).

## **ii) Framework Convention on Climate Change**

Until 2009, gender issues hardly figured in the international legal and policy discourse on climate change. Neither the Convention itself, nor the Kyoto Protocol mentioned or referred in any way to gender aspects and their relation with climate change. Gender has long been ignored or overlooked - and still is to some degree - in discussions about strategies to reduce the source of greenhouse gases because of the 'technical' or 'scientific' nature of the strategies. This remark is often heard, but it ignores that women are mainly responsible for ensuring energy supply and security at household level. It reflects the dominant perspective of women as victims and members of vulnerable groups, instead of as agents of change, leaders and decision-makers (ISIS Women 2012). But a lot has changed in the last few years and the UNFCCC has come a long way.

The last decade, the Women's Caucus<sup>10</sup> has been pressing hard to include a gender perspective in all of the conventions critical areas. At COP 13 in Bali, new groups and alliances were established to push for equality in the frame of the UNFCCC (e.g. the Global Gender and Climate Alliance (GGCA) and the GenderCC network – Women for Climate Justice). Before COP 15 in Copenhagen, only 2 outcome decisions of the COPs featured gender issues: (1) decision 36/CP.7 on improving the participation of women in the bodies established under the UNFCCC and Kyoto Protocol and (2) decision 28/CP.7 on the guidelines for the preparation of National Adaptation Programmes of Action (NAPAs). The first decision urged Parties to take measures to enable women to participate fully in all levels of decision-making relevant to climate change but unfortunately focused only on women's participation in the Convention and Kyoto Protocol bodies. The second decision recognized gender equality as one of the guiding elements in the preparation of NAPAs.

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<sup>10</sup> The Women's Caucus is a meeting held daily during international (environmental) conferences to allow women and organizations representing women to meet, share information and strategize.

At COP 14 in Poznan, there were no references to women and gender equality in the AWG-LCA negotiating text. Fortunately, in 2009 this turned around (Oxfam 2009). The UNFCCC interim negotiating text released in Bonn in June 2009 contained over 30 references to gender or women (FCCC/AWGLCA/2009/INF.1). This was a significant advance over previous texts. This increase might be linked with the fact that since 2009 not only NGOs maintained pressure to include gender-sensitive language in the final text, also several governments supported this. Ultimately, the ‘Copenhagen Accord’ itself didn’t make any specific mention of gender or women, but the AWG-LCA text contained 8 references to gender and women. Gender references were absent though in the crucial areas of mitigation and financing (GenderCC 2010).

The references of Copenhagen were retained through COP 16 in Cancun. The Cancun Agreements recognized women and gender equality as integral to effective actions to mitigate and adapt to climate change. References to gender and women could be found across seven sections of the text: Preamble; Shared Vision; Adaptation; Mitigation; Technology and Capacity Building. Gender was still lacking in the finance section. Additionally, gender considerations were included in the outcome decisions for two subsidiary bodies (SBs) of the UNFCCC, ensuring that capacities of Parties can be supported by the SBs for specific work on gender issues (WEDO 2010b). This means countries will be further supported to respond to urgent gender issues in their national implementation (WEDO 2010c).

The references to gender in the COP 17 outcome decisions build onto the foundations of the Cancun Agreements. Gender equality as a cross-cutting issue was removed from the Durban elaboration of a Shared Vision for Long-term Cooperative action (Fuhr, Schalatek and Omari 2011). But the AWG-LCA document still contains 6 references to gender and women relating to: the standing Committee, the adaptation Committee, enhanced action on mitigation, capacity building and the Climate Technology Centre and Network. With regards to financing, the Green Climate Fund report of the Transitional committee contains five strong references to gender. Like in Cancun, gender considerations are included in the outcome decisions of the two SBs as well (Robinson 2011).

Some aspects of the climate negotiations, however, are still gender blind. For example, there is no reference to gender in the AWG-LCA Outcome decision relating to mitigation, only a reference to women as part of the vulnerable group. There is still no reference to gender in the

negotiating text of the meeting of the Parties to the Kyoto Protocol (Robinson 2011). Overall, the gender language in the text has increased but the focus still lies on women 'being vulnerable' more than on women as stakeholders.

### **c) Recommendations**

As the overview of the COP outcomes above shows, clear advances have been made regarding gender mainstreaming within the framework of the CBD and UNFCCC. Gender language in the decisions made at the last COPs to the CBD and UNFCCC shows that gender has been given more priority. These advances have not only been supported by the women's groups, but also by the Executive Secretariats and by the Parties to the Conventions, leading to a wider support base for gender issues to enter the debates.

This doesn't mean the work is over. Attempts to give more attention to gender issues within the environmental regime should continue. It is crucial that gender stays an integral part of the process and outcomes of international environmental negotiations. This will demonstrate the will and intent of the Parties to the negotiations to address gender concerns and will create a chance to hold them accountable for their commitments. Conference decisions can also be a catalyst for national action as they provide a reference document for people working on national policies and programmes. However, it is important that such efforts to give more attention to gender issues consider carefully where and how gender issues still need to be addressed in the biodiversity conservation and climate change debates, rather than superficially gender-washing the whole outcome documents.

However, as Christiana Figueres, the new Executive Secretary of the UNFCCC said:

*"It's not about inserting the word 'gender' into a negotiating text or even into an agreement. It's about actually using these instruments to finally get down to the women, who are on the ground, in the field and getting them to be able to benefit from this"* (Figueres 2011).



### **3) Gender in mechanisms for implementation**

#### **a) Gender and the National Biodiversity Strategies and Action Plans (NBSAPs)**

The CBD states in its article 6 that each Contracting Party should develop a NBSAP or equivalent instrument. The NBSAPs are seen as key instruments for implementing the Convention on Biological Diversity (CBD) at the national level. The Convention requires countries to prepare a national biodiversity strategy or equivalent instrument and to ensure that this strategy is mainstreamed into the planning and activities of all those sectors that can have an impact on biodiversity (IUCN Fact Sheet 2010b). Until 2007, the link between gender and the NBSAPs was not explicitly recognized by the CBD. The CBD recognized from the start the crucial role of women in the implementation of the Convention, but decisions of the COPs did not contain specific guidance on the role of women in the implementation (Global Biodiversity Outlook 1: 238).

Therefore, the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (WGRI -2) recommended in 2007 that the COP 9 would take a decision to urge 'Parties in developing, implementing and revising their national and, where appropriate, regional, biodiversity strategies and actions plans ...to promote the mainstreaming of gender considerations'(WGRI-2/1). This recommendation on mainstreaming gender into the NBSAPs was adopted at COP 9 in 2008 (COP Decision IX/8; reiterated in COP Decision X/19).

By then, some countries had already begun to incorporate gender by presenting clear gender strategies or through the inclusion of gender considerations in some parts of their NBSAPs. Other countries had not been very successful at incorporating it in their NBSAPs. Therefore specific guidelines were developed to assist in the development of NBSAPs, so they could meet the objectives of biodiversity conservation and at the same time the promotion of gender equality. These guidelines are a very useful instrument because they provide general guidance to Parties on the inclusion of gender considerations into their existing and forthcoming NBSAPs. (CBD - IUCN 2010). Although, this is a huge step forward, many challenges still lie ahead. These include getting all countries to take gender concerns into account in when

developing their NBSAPs and helping them to also mainstream gender into the implementation of their NBSAPs at the national level.

#### **b) Gender and the National Adaptation Programmes (NAPAs & NAPs)**

The UNFCCC requires that Least Developed Countries (LDCs) submit a National Adaptation Programme of Action (NAPA) in which the country describes its priorities and strategies in relation to coping with climate change. This, in order to address the urgent adaptation needs of the LDCs. The Convention itself does not require the NAPAs to include a gender perspective. This, despite the fact that men and women at the grassroots-level of the LDCs will be affected most by climate change and will benefit the most from actions prioritized in the NAPAs. (LDC Expert Group 2002). However, in 2001, Parties to the UNFCCC adopted guidelines for the preparation of National Adaptation Programmes of Action (NAPAs). Gender equality was recognized as one of the guiding elements in the preparation of the NAPAs and it was advised that experts in gender issues be included in NAPA teams (Aguilar 2008). Unfortunately, the guidelines are only recommendations and cannot be enforced. The results was that only a small number of NAPAs incorporates a gender perspective. Where gender was incorporated, women were often portrayed as victims and only few also targeted women as agents of change in adaptation strategies to climate change (Aguilar 2009 & WGC 2011).

Under the Cancun Adaptation Framework, a process was established to enable least developed country Parties (LDCs) to formulate and implement national adaptation plans (NAPs).<sup>11</sup> This process will build upon their experience in preparing and implementing National Adaptation Programmes of Action (NAPAs). The NAPs will provide a means of identifying medium- and long-term adaptation needs and developing and implementing strategies and programmes to address those needs<sup>12</sup>. Experience from the NAPAs demonstrates that having gender equality principles as part of the guidelines for countries encourage countries to consider gender differences for adapting to climate change. However, only including gender as a guiding principle is not enough.

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<sup>11</sup> Parties adopted the Cancun Adaptation Framework (CAF) as part of the Cancun Agreements at the 2010 Climate Change Conference in Cancun, Mexico (COP 16/ CMP 6).

<sup>12</sup> Other developing country Parties are also invited to employ the modalities formulated to support the national adaptation plans in the elaboration of their planning efforts.

Parties should take appropriate actions to ensure that gender is mainstreamed in all the phases of the NAPAs and NAPs both in the formulation and implementations stages (WGC 2011).

## **Conclusion**

There is nothing more critical than the climate change and the loss of biodiversity we are experiencing today. Many of us, especially those living in the developing countries, are already feeling the enormous impacts thereof. Studies from all over the world show that women (will) bear the brunt of these changes. Too often, though, women are portrayed as victims and not as agents of change and possible contributors to environmental solutions. Therefore, it is crucial that women are able to participate fully and effectively in environmental decision-making at all levels. Both men and women need to participate in the framing and implementation of environmental norms at all levels. The implementation of environmental agreements will not be successful without a genuine participatory approach (Lambrou & Laub 2004).

Enhancing the gender-responsiveness of the CBD and UNFCCC ultimately depends on political will, both in governments and institutions. However, the increase in the number of gender references in the outcome documents of the international negotiations on biodiversity conservation and climate change, shows that gender has definitely been given more priority. Although this process has been initiated by different women's groups, the Secretariats of the Conventions and the Parties thereto have supported this.

Critical voices say women's networks have been pushing too much for the insertion of words and phrases in international environmental agreements and have failed to demonstrate the same ambition in relation to the implementation and compliance thereof (Bretherton 2003: 15). This might be the case, but at the same time the gender references at the international level have provided a basic framework and mandate for organizations, secretariats and governments to really deal with gender. Because of this, more and more countries are, for example, now planning the development of gender-sensitive climate change strategies. The gender references will also help the implementation of the international agreements. With regard to the implementation of the CBD and UNFCCC, we still have a long way to go. However, as the examples of the NBSAPs, NAPAs and NAPs show, actions to integrate a gender lens in the implementation mechanisms of the Conventions are underway.

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